

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RANDELL SIFINSKI,)	
)	
Plaintiff,)	
)	Civil Action No. 13-65 Erie
v.)	
)	
SUPERINTENDENT HARLOW, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

This civil rights action was received by the Clerk of Court on March 4, 2013, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rule 72 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [ECF No. 3], filed on March 20, 2013, recommended that the action be dismissed as legally frivolous in accordance with 28 U.S.C. § 1915(e) and that the Motion for Leave to Proceed *In Forma Pauperis* [ECF No. 1] be dismissed as moot. Plaintiff was allowed fourteen (14) days from the date of service to file Objections and no Objections were filed. After de novo review of the documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 16th day of July, 2013;

IT IS HEREBY ORDERED that the action is DISMISSED as legally frivolous in accordance with 28 U.S.C. § 1915(e) and the Motion for Leave to Proceed *In Forma Pauperis* [ECF No. 1] is DISMISSED as moot.

The Report and Recommendation [ECF No. 3] of Magistrate Judge Baxter, filed on March 20, 2013 is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
Chief United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge